

February 26, 1996 LB 1248

CLERK: Senator Chambers, would move to amend. The amendment is on Journal page 904. (See FA459.)

PRESIDENT ROBAK: The Chair recognizes Senator Chambers to open on his amendment.

SENATOR CHAMBERS: Madam President, members of the Legislature, this bill that Senator Vrtiska is offering us has two hoops that must be leaped through before...before a county, city or village would qualify for assistance, and the loans versus grants, or the loans plus grants is an issue that I'm not touching in this amendment that I'm offering. I'm having a copy handed around now of the section of statute defining disaster, which is referred to in Senator Vrtiska's amendment. Senator Vrtiska's amendment that makes reference back to the statute is on page 869 of the Journal, and in the first line 17, we see Section 81-829.39 where a disaster is defined. What is coming around to your desks now is a copy of the text of that language. My amendment is on page 904 of the Journal, and to prevent you from having to turn to my amendment, I will tell you what it does, and you can look at the copy of the statute that I'm handing around. Disaster, as defined in 81-829.39 includes the words "or eminent threat" and "or man-made". The eminent threat refers to an eminent threat of severe damage, injury, or loss of life or property. I am striking the part about a threat and there would actually have to have been the widespread severe damage, injury, or loss of life or property. I am striking the mere threat of those things. When we come down where I strike the term "or man-made" that refers to the cause of this damage. In the statute as it exists now, these problems can result from either, any natural cause or man-made cause. I am striking "or man-made". Here's why I am doing it in this fashion. I did not go into the existing Section 81-829.39 and try to change that. For all purposes which that definition would apply, nothing would change. Since this statute that we're considering now, this proposal to enact a statute creates an entirely new scheme. I want to narrow the circumstances under which this aid is going to be available should you decide to pass this bill, which I hope you don't. I don't think that a man-made cause for any of these problems should be a basis for receiving this money. Let's say that some individual is disgruntled and sets a prairie fire. It's one thing for that to happen as a result of a lightning strike or something such as that, and another thing for it to be a deliberate cause by a human being. The loss of